

**IN THE UNITED STATES COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JANE DOE,)	CASE NO. 1:21-cv-01640-SO
)	
PLAINTIFF)	JUDGE SOLOMON OLIVER
)	
V.)	PLAINTIFF’S MOTION TO STRIKE
)	DEFENDANT BOARD OF
LORAIN CITY BOARD OF)	EDUCATION’S MOTION TO STRIKE
EDUCATION ET AL,)	PLAINTIFF’S AFFIDAVITS
)	
DEFENDANTS)	

Now comes Plaintiff Jane Doe pursuant to Loc. R. 7.1(f) and moves to strike the Board of Education’s Motion to Strike Plaintiff’s Affidavits for failing to comply with the length mandates for non-dispositive motions set forth in Rule 7.1(f). This rule states explicitly that “Memoranda relating to all other motions must not exceed fifteen (15) pages in length.” This limitation applies to all motions unless the memoranda relate to a dispositive motion, in which case the standard track page limitation is twenty (20) pages.

The Board has previously filed its brief relating to a dispositive motion in its Brief in Support of its Motion for Summary Judgment. The Board’s Motion disregards this limitation as it is eighteen (18) pages in length. The Board attempts to avoid the 18 page limitation by certifying the Motion is in compliance with the twenty (20) page limit which does not apply to a Motion to Strike. This is reflected in the Certification on Page 17 of the Motion to Strike which references compliance for its Motion for Summary Judgment page limitation rather than the Motion to Strike. Furthermore, the Motion to Strike as it exceeds 15 pages, does not contain a table of contents, a table of authorities cited, a brief statement of the issues to be decided, and a summary of the argument presented as required by this Rule.

Wherefore for the foregoing reasons Plaintiff requests that Defendant Lorain Board of Education's Motion to Strike Affidavits be stricken and not considered by the Court.

Respectfully submitted

/s/ F. Benjamin Riek III

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CERTIFICATE OF SERVICE

A copy of the foregoing Motion to Strike Board of Education's Motion to Strike Plaintiff's Affidavits was served on November 30th, 2022 to Mark Fusco, mfusco@walterhav.com, Sara Reves Cooper, scooper@walterhav.com, Alexandra C. Eckrich, aeckrich@walterhav.com and Michael P. Harvey, Esq., counsel for Defendant Jrayene Nimene at MPHarveyCo@aol.com, pursuant to Civ. R. 5(B)(2)(f).

/s/ F. Benjamin Riek III